

* * *

Plaintiff,

SIERRA COUNTRY, INC., a Nevada corporation, WILLIAM R. TOMERLIN and MARSHA L. TOMERLIN, as individuals, and as Trustees of various intervivos trusts including, but not limited to THE WILLIAM R. TOMERLIN TRUST, dated August 11, 1976, and subsequent amendments thereof, and restated in THE TOMERLIN TRUST, dated January 31, 1994, THE WILLIAM R. TOMERLIN TRUST, dated August 11, 1979, THE WILLIAM R. TOMERLIN TRUST OF 1988, THE TOMERLIN TRUST, dated February 1, 1983, THE TOMERLIN TRUST U/A/D, dated February 2, 1989, and DOES I through X, inclusive,

Defendants.

COMES NOW, Defendant, SIERRA COUNTRY, INC. (hereinafter “SCI”), by and through its attorneys of record, PAUL G. TAGGART, ESQ. and TYLER M. ELCANO, ESQ., of the law firm of TAGGART & TAGGART, LTD., and STEPHEN O. TRACKMAN (hereinafter “Trackman”), by and through his attorneys of record, JOAN C. WRIGHT, ESQ. and JOEL W. LOCKE, ESQ., of the

1 law firm of ALLISON, MacKENZIE, PAVLAKIS, WRIGHT & FAGAN, LTD., and hereby file this
2 Stipulation and Order.

3 On or about February 2, 2010, a Stipulation and Order for Extension of Time to File an
4 Answer and For Withdrawal of Motion to Dismiss was filed. This Stipulation and Order extended the
5 time for SCI to file an answer to the Complaint filed on December 22, 2009. Further, the Stipulation
6 and Order indicated that the parties agreed that SCI would withdraw its Motion to Dismiss that had
7 been filed on or about January 15, 2010.

8 On or about February 9, 2010, Plaintiff filed a First Amended Complaint. The filing of the
9 First Amended Complaint replaces the original Complaint, and as a result, no answer is required to
10 the original Complaint.

11 ///

12 ///

13 ///

Taggart & Taggart, Ltd.
108 North Minnesota Street
Carson City, Nevada 89703
(775) 882-9900 ~ Telephone
(775) 883-9900 ~ Facsimile

Therefore, the parties herein stipulate that due to the filing of the First Amended Complaint, SCI shall have to and including Tuesday, February 23, 2010, in which to file its answer to the First Amended Complaint.

DATED this 12th day of February, 2010.

DATED this 12th day of February, 2010.

/S/ Paul G. Taggart
By: _____
PAUL G. TAGGART, ESQ.
Nevada State Bar No. 6136
TYLER M. ELCANO, ESQ.
Nevada State Bar No. 10578
TAGGART & TAGGART, LTD.
108 North Minnesota Street
Carson City, Nevada 89703
(775)882-9900 – Telephone
(775)883-9900 – Facsimile
Attorneys for Defendant,
Sierra Country, Inc.

/S/ Joel W. Locke
By: _____
JOAN C. WRIGHT, ESQ.
Nevada State Bar No. 1042
JOEL W. LOCKE, ESQ.
Nevada State Bar No. 10128
ALLISON, MacKENZIE, PAVLAKIS,
WRIGHT & FAGAN, LTD.
402 North Division Street
P.O. Box 646
Carson City, Nevada 89702
(775) 687-0202 – Telephone
(775) 882-7918 – Facsimile
Attorneys for Stephen O. Trackman

ORDER

IT IS SO ORDERED this 16th day of February, 2010.



LARRY R. HICKS
UNITED STATES DISTRICT JUDGE